



BOARD OF COUNTY COMMISSIONERS ST. LUCIE COUNTY, FLORIDA Regular Meeting

February 5, 2019

Convened: 6:01 PM
Adjourned: 7:44 PM

1. CALL TO ORDER

The meeting was called to order at 6:01 PM by District No. 3, Chair Linda Bartz

Attendee Name	Title	Status	Arrived
Linda Bartz	District No. 3, Chair	Present	6:00 PM
Cathy Townsend	District No. 5, Vice-Chair	Present	6:00 PM
Chris Dzadovsky	District No. 1	Present	6:00 PM
Sean P. Mitchell	District No. 2	Present	6:00 PM
Frannie Hutchinson	District No. 4	Present	6:00 PM
Howard Tipton	Administrator	Present	6:00 PM
Daniel S. McIntyre	County Attorney	Present	6:00 PM
Jeffrey Bremer	Deputy Administrator	Present	6:00 PM
Katherine Barbieri	Asst. County Attorney	Present	6:00 PM
Douglas Baber	HR Manager	Present	6:00 PM
Don West	Public Works Director	Present	6:00 PM
Leslie Olson	Director, Planning & Development Services	Present	6:00 PM
JoAnn Riley	Property Acquisitions Manager	Present	6:00 PM
Kimberly Graham	County Engineer	Present	6:00 PM
Barbara Guettler	MSBU Coordinator	Present	6:00 PM
Erick Gill	Public Information Officer	Present	6:00 PM
E. Wayne Gent	St. Lucie County Superintendent	Present	6:00 PM
Gertrude Walker	St. Lucie County Supervisor of Elections	Present	6:00 PM
Brittany Jones	Recording Secretary	Present	6:00 PM

2. INVOCATION

The County Administrator led the invocation.

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Board of County Commissioners minutes for the meeting of Tuesday, January 22, 2019

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Frannie Hutchinson, District No. 4
SECONDER:	Cathy Townsend, District No. 5, Vice-Chair
AYES:	Bartz, Townsend, Dzadoovsky, Mitchell, Hutchinson

5. PROCLAMATIONS APPROVAL

A. **Resolution - Proclaiming February 11-17, 2019 as "2-1-1 Awareness Week" in St. Lucie County, Florida.**

The deputy clerk read the proclamation into the record. A motion was made to adopt the resolution and it passed unanimously.

Chair Bartz presented the proclamation to Colleen Phillips, Community Relations Specialist for 2-1-1 of the Treasure Coast, who accepted it with gratitude and thanked the Board.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Frannie Hutchinson, District No. 4
SECONDER:	Chris Dzadoovsky, District No. 1
AYES:	Bartz, Townsend, Dzadoovsky, Mitchell, Hutchinson

B. **Resolution - Proclaiming support for the Healthy St. Lucie Coalition's "Billion Steps Challenge" in St. Lucie County, Florida.**

The deputy clerk read the proclamation into the record. A motion was made to adopt the resolution and it passed unanimously.

Chair Bartz presented the proclamation to Clint Sperber, Director of Heath Promotion for the Florida Department of Health in St. Lucie County and Jennifer Harris, Director of Community Health Promotion for the Florida Department of Health in St. Lucie County. They accepted the proclamation with gratitude and thanked the Board.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Townsend, District No. 5, Vice-Chair
SECONDER:	Sean P. Mitchell, District No. 2
AYES:	Bartz, Townsend, Dzadoovsky, Mitchell, Hutchinson

6. PUBLIC COMMENT (excluding Public Hearing items)

Chair Bartz opened the meeting for public comment at this time. The following individuals addressed the Board:

- Susan Parry, from United For Animals, spoke on the tethering ordinance, community cat programs and issues with the two local Humane Society shelters,
- Terry Walden, from United For Animals, spoke on the contract between St. Lucie County and the Humane Society,
- Scott Coccoli, Coordinator for Community Cat Coalition of the Treasure Coast, spoke about the TNVR (Trap, Neuter, Vaccinate, & Release) program; submitted business cards for the record,
- Susan Issac, volunteer with Community Cat Coalition, spoke on success other communities have had with TNVR programs,
- Gertrude Brunner, 7302 Arthurs Road, spoke on flooding issues in Lakewood Park,
- Kathy Casey, Lakewood Park resident, spoke on flooding issues in Lakewood Park,
- David Kaplan, 410 SE Naranja Ave, spoke about calming devices for the River Park neighborhood and related traffic studies; submitted documents for the record,
- Sheila Markell, 153 Riomar Dr, spoke of traffic issues related to speeding on Riomar Drive and spoke of possible solutions,
- Dennis Chesnut, 8305 Fort Walton Ave, spoke on flooding issues in Lakewood Park as it relates to funding and the half cent sales tax,
- Barry Janeway, 320 S Naranja Ave, spoke in support of the River Park neighborhood's decision to keep the neighborhood safe and to close Naranja Ave off at Floresta Drive,
- Laura Kaplan, 410 SE Naranja Ave, spoke on traffic issues in the River Park neighborhood and closing off Naranja Ave,
- Chief Deputy Gary Wilson with the St. Lucie County Sheriff's Office, wanted to ensure everyone that the traffic patrol captain has been informed of the traffic issues in the River Park neighborhood.

Chair Bartz commented on the River Park neighborhood concerns. County Engineer Kim Graham further addressed improvement plans to Floresta Drive. At Commissioner Townsend's request, the Public Works Director Don West addressed the flooding concerns in Lakewood Park. Commissioner Townsend informed the Lakewood Park residents present they could speak with her aide about setting up a meeting for further discussion on this issue.

There being no one further wishing to address the Board, Chair Bartz closed public comment.

7. PRESENTATIONS

There are no items scheduled.

Please note: At this time, Chair Bartz requested to pull Item 10.A.1. (Referendum Election to Levy a Millage for Operational Needs of the School District) to be heard prior to the Consent Agenda. It was requested by Commissioner Townsend to hear Item 10.B.1. (Proposed Budget Amendment FY 2019 for St. Lucie County Supervisor of Elections) following 10.A.1. Regular Agenda Items can be found on pages 11-13.

8. CONSENT AGENDA

Commissioner Townsend pulled Item 8.R.7. (Jenkins Road Corridor Study) for clarification on the item and County Engineer Kim Graham overviewed the reasons the traffic study is being conducted. Commissioner Dzadoosky pulled Item 8.E.1. (RFQ No. 19-007 Multifamily Affordable Housing Development Project) for special mention. Chair Bartz pulled Items 8.R.2., 8.R.3., 8.R.8. – 8.R.11. under Public Works for special mention as those projects will be funded by the Infrastructure Surtax.

A motion was made to adopt the consent agenda and it passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Townsend, District No. 5, Vice-Chair
SECONDER:	Chris Dzadoosky, District No. 1
AYES:	Bartz, Townsend, Dzadoosky, Mitchell, Hutchinson

A. WARRANTS

1. Warrant Lists 16 & 17

B. ADMINISTRATION

1. Appointment of Deborah Beutel to the Infrastructure Surtax Oversight Committee
2. Appointment of Britt Anderson to the Citizen's Budget Committee

C. AIR & SEA PORT

There are no items scheduled.

D. COUNTY ATTORNEY

1. Escheated Property - Transfer to City of Fort Pierce - Parcel ID 2404-801-0055-000-5
2. Escheated Property - Transfer to City of Port St. Lucie - Parcel ID 4427-700-0104-000-1
3. Permission to Advertise a Public Hearing to declare real property surplus property

4. Permission to Advertise - Exchange Agreement between Taylor and St. Lucie County
5. Request from Finance Director for BOCC Record Destruction
6. Declarations of the St. Lucie County Public Safety Director Declaring a State of Local Emergency for Hurricane Irma
7. Abatement Agreement with Vertex Development

E. COMMUNITY SERVICES

1. RFQ No. 19-007 Multifamily Affordable Housing Development Project

F. COOPERATIVE EXTENSION

There are no items scheduled.

G. COURT ADMINISTRATION

There are no items scheduled.

H. ENVIRONMENTAL RESOURCES

There are no items scheduled.

I. FACILITIES

There are no items scheduled.

J. HUMAN RESOURCES

There are no items scheduled.

K. INFORMATION TECHNOLOGY

There are no items scheduled.

L. LIBRARY SERVICES

There are no items scheduled.

M. MOSQUITO CONTROL & COASTAL MGMT. SERVICES

There are no items scheduled.

N. OFFICE OF MANAGEMENT & BUDGET

There are no items scheduled.

O. PARKS & RECREATION

1. Florida State Health Department's National HIV/AIDS Awareness Day

P. PLANNING & DEVELOPMENT SERVICES

There are no items scheduled.

Q. PUBLIC SAFETY

There are no items scheduled.

R. PUBLIC WORKS

1. Kings Highway and Indrio Road Intersection Improvements - Change Order No. 1
2. Selvitz Road at NSLRWCD C102 Culvert Replacement
3. Oleander Avenue Sidewalk Improvement
4. Resolution - A resolution supporting the Transportation Alternatives program in St. Lucie County, Florida
5. Resolution - A resolution supporting the Transportation Alternatives program in St. Lucie County, Florida
6. Glenview Avenue Emergency Repair
7. Jenkins Road Corridor Study
8. Harmony Heights Stormwater Improvements Phase I North Design Work Authorization No.8 to C14-11-677
9. Award Bid 19-014: Purchase of Culvert Pipe for Stormwater Drainage
10. Celebration Point Roadway Improvements
11. Edwards Road Design

S. SHERIFF'S OFFICE

There are no items scheduled.

T. SOLID WASTE

There are no items scheduled.

U. SUPERVISOR OF ELECTIONS

There are no items scheduled.

V. TRANSPORTATION PLANNING ORGANIZATION

There are no items scheduled.

W. UTILITIES

There are no items scheduled.

9. PUBLIC HEARINGS

A. COUNTY ATTORNEY

1. Ordinance - Amending Section 38-27 "Registration of Abandoned Real Properties" of the Code of Ordinances and Compiled Laws of St. Lucie County.

Assistant County Attorney, Katherine Barbieri presented this item. The draft ordinance would amend Section 38-27 "Registration of Abandoned Real Properties" of the Code of Ordinances and Compiled Laws of St. Lucie County, Florida.

The Ordinance was enacted in 2010 to require mortgagees to register abandoned properties upon the filing of a lis pendens or the initiation of a foreclosure action. Registration includes information about the property, the property owner, the mortgagee and the local agent. Properties subject to this ordinance are required to be inspected on a monthly basis and maintained in compliance with St. Lucie County Codes. The original ordinance had a sunset clause of 2013 with the expectation that times would improve. Ordinance No. 13-035 was adopted by the Board on July 2, 2013 extending the effective date of this ordinance to January 1, 2016. On February 9, 2016, Ordinance 16-002 was adopted by the Board extending the effective date of this ordinance to January 1, 2019. Due to the current number of foreclosures, staff would like to extend the ordinance to January 1, 2022.

Staff recommended that the Board adopt the ordinance and authorize the Chair to sign the ordinance.

Chair Bartz opened the hearing for public comment at this time. There being no one wishing to address the Board, Chair Bartz closed public comment.

A motion was made to adopt the ordinance and it passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chris Dzadovsky, District No. 1
SECONDER:	Frannie Hutchinson, District No. 4
AYES:	Bartz, Townsend, Dzadovsky, Mitchell, Hutchinson

B. PLANNING & DEVELOPMENT SERVICES

1. Ordinance - Roads Impact Fee

This item was presented by Leslie Olson, the Planning & Development Services Director. In 1986 the County adopted Road Impact Fees that are applied countywide in order to provide improved transportation benefits to the overall community. The impact fees collected through this program are a one-time assessment paid to fund the increased demand on public services imposed by new development and cannot be used for the maintenance of existing services. The County updated its road impact fees assessment schedules in 2000, 2003, and most recently in 2010. In addition, the County's Roads Impact Fees have been annually adjusted by the Consumers' Price Index (CPI).

On January 18, 2018, the St. Lucie County Local Planning Agency/St. Lucie County Planning and Zoning Commission held a public hearing on the proposed ordinance and made a recommendation to forward the ordinance to the Board of County Commissioners for approval. On March 6, 2018, the St. Lucie Board of County Commissioners held the first of two public hearings on the proposed ordinance and provided direction to staff on the calculation of road impact fee.

Staff recommended a 6 month continuance to July 2, 2019, to provide additional time to review and revise the proposed impact fees based on the passage of the half-cent local government infrastructure surtax.

Chair Bartz opened the hearing for public comment at this time.

Bryce Sartory from the Realtors of the Palm Beaches & Greater Fort Lauderdale, thanked County staff for their hard work on this item.

There being no one further wishing to address the Board, Chair Bartz closed public comment.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Cathy Townsend, District No. 5, Vice-Chair
SECONDER:	Sean P. Mitchell, District No. 2
AYES:	Bartz, Townsend, Dzadovsky, Mitchell, Hutchinson

C. PUBLIC WORKS

1. Resolution - River Hammock Municipal Services Benefit Unit (MSBU) Final Assessment Resolution

The MSBU Coordinator, Barbara Guettler, presented this item. Over the past several years, the County has received petitions from property owners on River Hammock Lane in support of creating a Municipal Services Benefit Unit ("MSBU") to fund the cost of constructing potable water and fire protection improvements in their neighborhood. The proposed MSBU is located within the utility service area of the City of Port St. Lucie ("PSL").

In June 2017, affected property owners were notified by mail of their maximum estimated assessment amount; and an, informational meeting was held with County staff, PSL staff and property owners to discuss the MSBU process, project design, and project cost.

In January 2018, a public hearing was held for the Board to consider comments from property owners prior to creating the MSBU, accepting submitted petitions, and directing staff to continue to full design, Resolution No. 2018-002. The submitted petitions indicate that 83% of the property owners support the imposition of assessments to fund the project.

November 27, 2018, the Board approved Resolution No. 2018-239, the River Hammock MSBU Initial Assessment Resolution, as required by the County's Assessment Ordinance. The Initial Assessment Resolution described the property to be located within the MSBU, provided for the imposition of special assessments therein, estimated the cost to be funded through special assessments, established the method of apportioning the special assessment among affected real property, directed the assessment coordinator to prepare a preliminary assessment roll, and authorized and directed staff to take such actions as may be necessary in furtherance of the project and the financing of the cost thereof through special assessments, established tonight's public hearing to consider imposition of the proposed assessments.

As established in the Initial Assessment Resolution, the maximum assessed cost of the project is \$258,852. The maximum assessment amount to be levied per Equivalent Residential Connection ("ERC") is \$11,254.44, with an annual payment of \$803.38. If the Board approves this Resolution, property owners will have an opportunity to pay their assessment prior to financing being obtained; thereby, avoiding the cost related to financing the project, annual financing, collection and administrative cost. The discounted prepay assessment amount is \$10,093.49 per ERC.

The assessment imposed against each parcel may be further reduced upon completion of the project depending on whether contingencies arise during construction. If the project comes in under budget, property owners who prepaid the assessment will receive a refund of the difference. Assessment being collected annually along with property taxes will be reduced to reflect the lower cost.

On January 15, 2019, affected property owners were notified by mail of this public hearing and of their proposed assessment amount, annual repayment amount, and discounted prepay amount.

The resolution constitutes a Final Assessment Resolution as required by the County's Assessment Ordinance. The purpose of the Final Assessment Resolution is to determine that real property within the River Hammock MSBU will be specially benefitted by the improvements, ratify and confirm the Initial Assessment Resolution, approve the assessment roll, impose assessments upon all parcels described in the assessment roll,

provide the method for collection, direct recorded notice of the assessments, and provide an effective date.

Staff recommended Board approval of the River Hammock MSBU Final Assessment Resolution and authorization for the Chair to sign documents as approved by the County Attorney.

Chair Bartz opened the hearing for public comment at this time.

Harold Williams Jr, 2200 River Hammock Lane, asked on his options, as he does not want to be included in the project. The MSBU Coordinator stated staff had looked into excluding his property however, the law states if the property could derive a direct benefit from the MSBU, they cannot exclude it.

There being no one further wishing to address the Board, Chair Bartz closed public comment.

A motion was made to approve staff recommendation and it passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chris Dzadovsky, District No. 1
SECONDER:	Cathy Townsend, District No. 5, Vice-Chair
AYES:	Bartz, Townsend, Dzadovsky, Mitchell, Hutchinson

2. Resolution - Lakewood Park Municipal Services Benefit Unit (MSBU) Final Assessment Resolution

This item was presented by the MSBU Coordinator, Barbara Guettler. Over the past few years the County has worked with Lakewood Park (“LWP”) area property owners and the Fort Pierce Farms Water Control District (the “District”) to investigate the feasibility of creating an MSBU to fund fees associated with affected properties joining the District. If LWP joins the District, the area would benefit from an increased ability to discharge storm water from the Lakewood Park subdivision into the District.

In 2018, St. Lucie County (the County) elected to conduct a mail ballot of affected property owners in the Lakewood Park area to determine the level of support for the creation of a Municipal Services Benefit Unit (MSBU) to fund the annual cost of improved storm water drainage in Lakewood Park. Returned ballots indicate that 60% of affected property owners support the creation of an MSBU to fund FPFWCD annual fees.

On December 18, 2018, the Board approved an Initial Assessment Resolution as required by the County’s Assessment Ordinance. This resolution described the property to be located within the Lakewood Park Drainage MSBU, provided for the imposition of special assessments therein, estimated the cost to be funded through special assessments, established the method of apportioning the special assessment among affected real property, directed the assessment coordinator to prepare a preliminary assessment roll, approve the interlocal agreement with the District, approved the

interlocal agreement with the Tax Collector, authorize and directed staff to take such actions as may be necessary in furtherance of the project and the financing of the cost thereof through special assessments, and established this public hearing.

On January 15, 2019, affected property owners were notified by mail of this public hearing and of their proposed annual assessment amount, which is \$20.87 per acre of land or less, to be collected beginning in November 2019.

The resolution constitutes a Final Assessment Resolution as required by the County's Assessment Ordinance. The purpose of the Final Assessment Resolution is to determine that real property within the Lakewood Park MSBU will be specially benefitted by the improvements, ratify and confirm the Initial Assessment Resolution, approve the assessment roll, impose assessments upon all parcels described in the assessment roll, provide the method for collection, direct recorded notice of the assessments, and provide an effective date.

Staff recommended Board approval of the Lakewood Park MSBU Final Assessment Resolution and authorization for the Chair to sign documents as approved by the County Attorney.

Chair Bartz opened the hearing for public comment at this time.

Jason Weaver, 7604 Ocala Ave, stated he is in support of this item and requests the Board to approve it.

Marjorie Harrell, resident of St. Lucie County, had a question in regards to options for citizens who cannot afford the assessment amounts. The MSBU Coordinator replied that through the MSBU process is an option to pay the assessments over twenty years.

A motion was made to approve staff recommendation and it passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Cathy Townsend, District No. 5, Vice-Chair
SECONDER:	Chris Dzadovsky, District No. 1
AYES:	Bartz, Townsend, Dzadovsky, Mitchell, Hutchinson

10. REGULAR AGENDA

A. COUNTY ATTORNEY

1. Referendum Election to Levy a Millage for Operational Needs of the School District

(Item heard prior to Consent Agenda)

The County Attorney, Dan McIntyre, gave background on this item. The School Superintendent has recommended that the School Board request a special referendum election to consider approving an operational needs millage as provided in Sections 1011.71(9) and 1011.73(2), Florida Statutes. On January 8, 2019, the School District

adopted a resolution that “directed” the Board of County Commissioner to call a referendum election to determine if the electors of the School District approve the levy of a millage for operational needs of the District for a period of four (4) fiscal years, commencing July 1, 2019, and ending June 30, 2023. For this purpose, a School District Resolution was drafted.

The School District Resolution:

- Made certain findings and determinations explaining why the operational needs millage is needed
- Provided for the levy of a millage for operational needs of the District for four years, subject to approval of the electors of the District at a referendum election held as required by statute
- Directed the Board of County Commissioners to call a referendum election on the operational needs millage to be held at a special election on April 23, 2019
- Authorized appropriate notice of the referendum election
- Made certain provisions for and required determinations regarding the referendum election
- Adopted a form of ballot for the referendum

The School District Attorney has drafted a Resolution for the Board of County Commissioners which, if adopted, would call a referendum election to be held in the School District on April 23, 2019 as directed by the School Board.

Staff recommended that the Board adopt the resolution as drafted by the School District Attorney and authorize the Chair to sign the resolutions.

St. Lucie County Superintendent E. Wayne Gent gave a presentation on this item. The presentation highlighted the achievements of all St. Lucie County public schools, overviewed the referendum language, detailed how the money will be spent, explained the election process and estimated cost per household and emphasized that every dollar will stay in St. Lucie County.

Commissioner Mitchell and Commissioner Townsend both commented.

A motion was made to adopt the resolution and it passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sean P. Mitchell, District No. 2
SECONDER:	Chris Dzadovsky, District No. 1
AYES:	Bartz, Townsend, Dzadovsky, Mitchell, Hutchinson

B. SUPERVISOR OF ELECTIONS

1. Proposed Budget Amendment FY 2019 for St Lucie County Supervisor of Elections

This item was presented by the County Attorney, Dan McIntyre. The Supervisor of Elections was required to conduct 3 machine recounts as well as 2 manual recounts subsequent to the General Election of November 6, 2018. In this regard, costs were incurred that were not anticipated nor budgeted. Therefore, the Supervisor of Elections is requesting that these costs be covered by additional funding from the St. Lucie County Board of Commissioners. The total amount of unexpected costs is \$70,000. This is made up of the following, legal costs \$42,000, temporary staffing \$8,000, permanent staff overtime \$4,000 election equipment support and maintenance \$10,000, and security provided by the Sheriff's office \$6,000.

Staff recommended Board approval of a budget amendment in the amount of \$70,000.00 for the Supervisor of Elections FY 2019 budget.

A motion was made to approve staff recommendation and it passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chris Dzadoovsky, District No. 1
SECONDER:	Cathy Townsend, District No. 5, Vice-Chair
AYES:	Bartz, Townsend, Dzadoovsky, Mitchell, Hutchinson

11. ANNOUNCEMENTS

- A. The Board of County Commissioners will hold an Informal meeting on Tuesday, February 12, 2019 at 9am in Conference Room 3 of the Roger Poitras Administration Annex located at 2300 Virginia Avenue, Fort Pierce, FL.
- B. County offices will be closed on Monday, February 18, 2019 in observance of President's Day.
- C. The Board of County Commissioners will hold a Regular meeting on Tuesday, February 19, 2019 at 9am in the Commission Chambers of the Roger Poitras Administration Annex located at 2300 Virginia Avenue, Fort Pierce, FL.

12. MOTION TO ADJOURN

There being no further business to be brought before the Board, the meeting was adjourned.

Please Note: Final minutes are recorded in the official minute books that are filed with the Clerk of the Circuit Court and available for inspection upon request.